TULARE COUNTY

CANDIDATE'S GUIDE

for the Stone Corral District

RECALL ELECTION



January 2013 Compiled by the Office of the Tulare County Registrar of Voters

TULARE COUNTY REGISTRAR OF VOTERS

5951 South Mooney Blvd. - Visalia, CA 93277

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RITA A. WOODARD Registrar of Voters

Ann Turner, Elections Division Manager Kari McCully, Deputy Elections Supervisor Office Hours: Monday - Thursday 7:30 AM to 5:30 PM and Friday 8:00 to Noon

Dear Candidate:

Congratulations on your decision to seek office in the upcoming Recall Election. There are many requirements associated with being a candidate. This booklet has been prepared to assist candidates in preparing for the April 9, 2013 Recall District Election. This guide is not all-encompassing; it merely summarizes the major provisions relating to candidates running for office in Tulare County. Candidates, political committees, and anyone else interested in an elective office should not rely solely on this booklet.

The Tulare County Candidate's Guide is intended to provide general information about the nomination and election of candidates, and does not have the force and effect of law, regulation, or rule. It is distributed with the understanding that the Tulare County Registrar of Voters - Elections Division is not to be a substitute for legal counsel for the individual, organization or candidate using it. In case of a conflict, the law, regulation, or rule will apply.

Please take note that our business hours vary from many other offices.

Registrar of Voters-Elections Department Office Hours: 7:30 a.m. to 5:30 p.m. Monday through Thursday 8:00 a.m. to noon on Friday

We want to provide you assistance that will make seeking office easier and an enjoyable learning experience. If you have any suggestions for improving this guide or our services, please let us know. If you have any questions or need additional information, please contact this office at (559) 624-7300.

Best wishes to you in your campaign.

E a Woodard

Sincerely,

Rita A. Woodard Registrar of Voters

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FEDERAL ELECTIONS COMMISSION (FEC)

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Sacramento, CA 95814 www.sos.ca.gov/prd/

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UNITED STATES ELECTION ASSISTANCE COMMISSION (EAC)

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LIST OF LOCAL DISTRICTS IN THE ELECTION

April 9, 2013 Stone Corral Elementary School Recall Election

| ELEMENTARY SCHOOLS | | | | | | | | |
|----------------------------|------------------------|--------------------------------------|---------------|-------------------|-----|--|--|--|
| ELEMENTARY SCHOOL | NUMBER OF VACANCIES | INCUMBENT | CANE STATI | TULARE CO. REG | | | | |
| | | | AMOUNT | WHO PAYS | | | | |
| STONE CORRAL ELEMENTARY | 2 Gov Board Members | Rebecca Quintana Reynold Esquivel | \$300 | Candidate | 197 | | | |

CALENDAR For a Recall Election APRIL 9, 2013

| Nomination Period begins either 113 days before the election or the day after the election is ordered, whichever is later. | Nomination Period Candidates file nomination papers to have their names printed on the ballot to be elected for the office vacated if the officeholder is recalled. (Elections Code 11381) |
|--|--|
| 75 days before the election | • Last day for candidates to file nomination papers to be a candidate. • Last day for candidates to withdraw their nomination papers/candidacy and not appear on the ballot. • Last day for candidates to file a candidate statement (must be filed with Declaration of Candidacy). • Last day for officeholders being recalled to file a candidate statement. (Elections Code 11381(b)) |
| 29 days before the election | First day absentee ballots may be issued to voters. Absentee "applications" are accepted earlier than this date, but not mailed until this point. The Elections Office will mail absentee ballots to voter upon request each working day up until 7 days before the election. |
| 15 days before the election | Last day for voters to register, or re-register to vote in the recall election. Voters should re-register whenever they move or change their name. (Elections Code 2102(a)) |
| 7 days before the election | Last day a request for an absentee ballot to be mailed may be received by the elections office. (Absentee ballots are still available over the counter in elections office until the end of election day). |
| Election Day | Election Day. The polls open at 7 AM and close at 8 PM. The Elections Office distributes election night results by our web-page, by e-mail, by fax or by telephone. |
| 28 days after the election | Legal Deadline for County to complete the Official Canvass of the Recall Election. (Elections Code 15372) |

CANDIDATE FILING REQUIREMENTS

Elections Office



| SCHOOL DISTRICTS | | | | | |
|------------------|---|---|--|--|--|
| \$ | FILING FEES | None | | | |
| A | NOMINATION SIGNATURES | None | | | |
| 700 | STATEMENT OF ECONOMIC INTEREST (FORM 700) | Required. Must be filed by January 24 th . | | | |
| 501 | FPPC FILING | Form 501 must be filed before you solicit or receive any contributions or before you make any expenditure from personal funds on behalf of your candidacy (excluding candidate statement fees). See page 42 in this book. | | | |
| 410 | FPPC FILING | Form 410 must be filed if campaign contributions will total \$1,000 or more in a calendar year. A Candidate's personal funds used to pay a filing fee or candidate statement fee are not counted toward the \$1,000 threshold. See page 43 in this book. | | | |
| 460 | FPPC FILING | Form 460 must be filed if a candidate raised or spent or will raise or spend \$1,000 or more during the calendar year. See pages 37, 38, 40 and 42 in this book. | | | |
| 470 | FPPC FILING | Form 470 must be filed if a candidate does not anticipate spending or receiving more than \$1,000 in a calendar year. See page 41 in this book. | | | |
| | DECLARATION OF CANDIDACY | Required. Must be filed with County Elections Office by January 24, 2013. You will take an Oath of Office; designate how your name is to appear on the ballot, and what ballot designation (occupation) you want to appear under your name on the ballot. See pages 26, 27, 30 and 31 in this book. | | | |
| 1 +\$ | CANDIDATE STATEMENT | Optional. This is a 200 word or less statement you write describing your education and qualifications. It is printed in the sample ballot booklet. It must be filed before or at the time of filing your Declaration of Candidacy. Payment for statement is required at time of filing. See pages 32-34 in this book. | | | |
| ✓ | QUALIFICATIONS TO RUN FOR THIS OFFICE | Registered voter and otherwise qualified to vote for the office you are seeking at the time your nomination papers are issued. To be a registered voter, you must be a U.S. citizen, at least 18 years of age, not in prison or on parole for the conviction of a felony, and not determined by a court of law to be mentally incompetent. (EC 201). Per Penal Code §893, if a person is serving as an elected public officer they are not competent to act as a grand juror. | | | |
| 0 | RESTRICTIONS ON CANDIDATES FOR SCHOOL BOARD | No person shall file nomination papers for more than one "school" district office, including a county board of education office, at the same election. (EC 10603(c)) Also, an "employee" of a school district may not be sworn into office as an elected or appointed member of that school district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. (Education Code 35107(b)(1)) | | | |

GENERAL RESTRICTIONS

(local non-partisan offices)

GENERAL QUALIFICATIONS

The California Elections Code (EC) requires all candidates for public office in California to be registered voters and otherwise qualified to vote for the office they are seeking at the time their nomination papers are issued. The constitutional requirements to be a registered voter are that a person must be a United States citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least eighteen (18) years of age at the time of the next election, and not determined by a court of law to be mentally incompetent.

Holding and/or Running for More Than One Elected Office at the Same Time

A public officer who is appointed or elected to another public office and enters upon the duties of the second office, automatically vacates the first office **if the two are incompatible.**

Offices are incompatible, in the absence of statutes suggesting a contrary result, if there is any significant clash of duties between the offices, if the dual office holding would be improper for reasons of public policy, or if either officer exercises a supervisory, or removal power over the other. (58 Ops.Cal.Atty.Gen. 323, 324-325 (1975))

The County Elections Office is not allowed to give legal advice or interpret which offices are "incompatible." If you intend to file nomination papers for a second elected office, you should consult your own legal counsel or contact the Attorney General's office at (916) 322-3360 or visit their website, www.oag.ca.gov. The State of California Attorney General's Office has issued many opinions of particular compatibility questions. Here are six examples of incompatible offices:

- The offices of city councilman and school district board member where the city and the school district have territory in common;
- Fire chief of a county fire protection district and member of the board of supervisors of the same county;
- High school district trustee and trustee of an elementary school district which is completely within the geographic boundaries of the high school district;
- Water district director and a city council member;
- Water district director and a school district trustee having territory in common;
- Deputy Sheriff and County Supervisor.

53227 & 53227.2)

PROOF OF QUALIFICATIONS REQUIRED FOR SOME OFFICES

For offices specified in the following pages, no person shall be considered a legally qualified candidate unless that person has filed all appropriate papers accompanied by documentation, including, but not necessarily limited to, **certificates**, **declarations under penalty of perjury**, **diplomas**, **or official correspondence**, sufficient to establish, in the determination of the official with whom the declaration or statement is filed, that the person meets each qualification established for service in that office. (EC 13.5(a)(1))

RESTRICTIONS ON GOVERNMENT EMPLOYEES RUNNING FOR OFFICE

An employee of a local agency (a city, county, district, municipal or public corporation, political subdivision, or other public agency of the state) may not be sworn into office as an elected or appointed member of the legislative body (board of supervisors, city council, governing body of a district, etc.) of that local agency unless he or she resign as an employee. If the employee does not resign, the employment shall automatically terminate upon his or her being sworn into office. This does not apply to any volunteer firefighter who does not receive a salary. (Government Code

Restrictions on Candidates for School Board

Specific restrictions apply to candidates for school boards. No person shall file nomination papers for more than one "school" district office, including a county board of education office, at the same election. (EC 10603(c))

Also, an "employee" of a school district may not be sworn into office as an elected or appointed member of that school district's governing board unless and until he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office. (Education Code 35107(b) (1))

Family Member of Candidate Serving as a Pollworker

Neither a candidate nor members of a candidate's immediate family are eligible to serve as poll worker/precinct officers at any polling place which has ballots on which the candidate's name appears.

DECLARATION OF CANDIDACY

A sufficient Declaration of Candidacy must be filed before 5:00 p.m. on the close of the Nomination Period for the candidate's name to appear on the ballot. (EC 13 & 8020)

Candidate Must Sign the Declaration of Candidacy

The Candidate must sign the Declaration of Candidacy in two (2) places:

- The Affidavit of Nominee
- The Oath of Allegiance. The Oath must be signed before a Deputy Elections Official, a notary, the
 city clerk (for city offices), the district secretary (in cases of an office in a special district such as
 memorial or irrigation districts), or the superintendent of schools (in cases of candidates for school
 board).

Candidate Must Print His or Her Name as it is to Appear on Ballot

No title or degree can be used on the same line as the candidate's name. (EC 13106)

The candidate's name will be printed on the ballot exactly as it appears on the Declaration of Candidacy. Nicknames should not indicate or allude to an occupation or a title, but should be limited to derivatives of the candidate's name.

If a candidate changes his or her name within one year of any election, the new name shall not appear upon the ballot unless the change was made by marriage or decree of court of competent jurisdiction. (EC 13104)

If there are two (2) candidates with the same or similar name who have filed for the same office, the candidates may, at the time of filing their nomination papers, or within five (5) days after the time for filing nomination papers has expired, file with the County Elections Official a statement asking that a "number" of their choice be placed next to their name on the ballot as a distinguishing mark. If both candidates choose the same number, the first candidate to file the statement will receive their choice; the other candidate will have to select a new number. (EC 13118)

Candidate May Indicate a Ballot Designation

At the option of the candidate, a designation may appear under the candidate's name on the ballot. Designations are subject to the limitations of EC 13107 and the California Code of Regulations 20710 et. seq. See section on Ballot Designations.

Candidate Must Indicate if He or She Will File a Candidate Statement

A candidate must indicate if he/she chooses to file a statement of qualifications, known as a Candidate Statement. Candidate Statements are printed and mailed to the voters in the sample ballot booklets and can be found in the voter information pamphlet section. See Candidate Statement portion of this Guide.

Random Alpha Sequence of Names on the Ballot

After the close of the extended nomination period, the Secretary of State will conduct the randomized alphabet drawing. This process is a random drawing of the letters of the alphabet, which will be used to determine the primary placement of candidate names on the ballot for <u>all</u> offices. (EC 13111 & 13112) This order remains the same throughout the district. (EC 13111)

For State Assembly or State Senate offices where the district includes more than one county, the County Elections Official in each county, instead of the Secretary of State, shall conduct a separate drawing of the letters of the alphabet called a county randomized alphabet which will apply to these offices only. (EC 13111(i))

Rotation of Candidates' Names On Ballot

- STATEWIDE, U.S. REPRESENTATIVE CANDIDATES: Candidates for statewide office shall rotate by Assembly Districts. Rotated names will appear in the random alpha order in the lowest numbered Assembly District in which the name appears; thereafter for each succeeding Assembly District, the name appearing first in the last preceding Assembly District shall be placed last, the order of the other names remaining unchanged. (EC 13111(c) & (d))
- COUNTY-WIDE OFFICES THAT ONLY APPEAR IN TULARE COUNTY: Candidates for county-wide offices (e.g. District Attorney, Sheriff-Coroner, etc.) shall rotate by County Supervisorial District. Rotated names will appear in the random alpha order in the lowest numbered Supervisorial District in which the office appears; therefore, for each succeeding Supervisorial District, the name appearing first in the last preceding Supervisorial District shall be placed last, the order of the other names remaining unchanged. (EC 13111(g))
- ALL OTHER OFFICES DO NOT ROTATE: The order of candidate's names for all other offices will not change. (EC 13111)

NOMINATION PAPERS

STATEWIDE OFFICES - Nomination papers for a <u>statewide</u> office for which the candidate is to be nominated shall be signed by voters of the state equal to but not less in number than one percent (1%) of the entire number of registered voters of the state at the time of the close of registration prior to the preceding General Election.

NON-STATEWIDE OFFICES - Nomination papers for an office, <u>other than statewide</u>, shall be signed by at least three percent (3%) of the entire number of registered voters in the district at the time of the close of registration prior to the preceding General Election. Ask the Elections Official for the number of signatures needed.

WITHDRAWAL OF CANDIDACY

The last day a candidate may withdraw his candidacy for a particular office is always the last day of the nomination period for that office (the seventy-fifth (75th) day before the election). Once the nomination period is over, requests for withdrawal of candidacy are not accepted and the candidate's name will appear on the ballot (or in cases where there are insufficient nominees, the candidate's name will be submitted for appointment in lieu of election).

To withdraw, a candidate must submit a written and signed request to withdraw his or her candidacy to the Elections Office by the deadline.

If a candidate decides that they want to run for a different office, they must submit a request to withdraw their candidacy and then complete the regular paperwork to file for the new office.

If nomination signatures were gathered for the first office and then the candidate withdraws, the signatures will not apply towards a different office. Nomination signatures are gathered for a specific office and cannot be transferred to a different office. The candidate may have the voter sign the nomination petition for the new office.

WRITE-IN CANDIDATES

(for local offices)

Filing as a Write-In Candidate

Every person who declares to be a write-in candidate shall file:

- (1) A Declaration of Candidacy for Write-In Candidates provided by the Elections Official.
- (2) The required number of signatures on the nomination papers.

The Declaration of Candidacy for Write-In Candidates and nomination papers shall be available on the fifty-seventh (57th) day prior to the election and shall be filed with the Elections Official no later than fourteen (14) days before the election. (EC 8601)

Signers of nomination papers for write-in candidates shall be voters in the district or political subdivision in which the candidate is to be voted on. (EC 8603)

No name written upon a ballot by the voter shall be counted for an office or nomination unless the candidate whose name has been written on the ballot has complied with the above requirements. (EC 15341)

There is no filing fee for a write-in candidate. (EC 8604)

Tallying of Write-In Votes

Write-in votes will only be partially processed on election night. There will, however, be **no reporting of write-in vote results on election evening**. Because write-in votes must be hand tallied, the counting of write-in votes is handled as part of the official canvass.

Reporting Votes for Write-In Candidates on Election Night

Final results for "qualified" write-in candidates will not be reported on election night. Instead, the election night report will show a total count of votes cast for ALL write-in candidates (whether qualified or not). The votes for qualified write-in candidates are hand-tallied and reported in the Official After Canvass Report (usually days after the election).

Other Items of Interest

The California Administrative Code, Title II, Division VII, Sections 20100-20105, specifies the requirements for the counting of write-in votes (e.g. misspelled or incomplete name, etc.). Rather than enumerating the requirements herein, a copy of the provisions will be provided, upon request, to qualified write-in candidates and other interested parties.

The name of a write-in candidate shall be written by hand upon a ballot. The use of pressure-sensitive stickers or methods other than handwriting to indicate the name of the write-in candidate is not valid, and a name indicated by any such method shall not be counted. (EC 15342)

In order to vote for a write-in candidate when voting on a touchscreen unit, the voter presses the oval next to the write-in line, an image of a keyboard appears on the screen and the voter types in the name of the write-in candidate.

BALLOT DESIGNATIONS

(occupational designation appearing under candidate's name on ballot)

The candidate may request a ballot designation appear under his/her name on the ballot, but are not required to and may leave the space for such designation blank. In order to notify the Elections Official of the candidate's intention if no occupation is desired on the ballot under his/her name, the word "none" must be written on the application in the appropriate space. "None" will not appear on the ballot, the candidate must initial the appropriate box on the Declaration of Candidacy.

A candidate who wishes to have a ballot designation appear under his/her name on the ballot may choose <u>ONLY ONE</u> of the following:

| Office Title | | | | | | | |
|--|---|--|--|--|--|--|--|
| Office Title | | | | | | | |
| Words designating the office may be used if the candidate at the time of filing nomination papers holds an elective office (federal, state, county, city or district) to which he/she was elected by a vote of the people. | Examples: Representative in Congress, 19th District Member of the Board of Supervisors | | | | | | |
| Incumbent | | | | | | | |
| The word "Incumbent" may be used if the candidate is a candidate for the <u>same office</u> which he or she holds at the time of filing nomination papers, and was elected to that office by a vote of the people, or appointed as a nominated candidate, in lieu of an election. Note: Judicial candidates may use the word "Incumbent" whether they were elected or appointed to the position. | Example: Incumbent | | | | | | |
| Appointed Incumbent | | | | | | | |
| The words "Appointed Incumbent" may be used if the candidate holds an office by appointment, and is filing as a candidate for election to the <u>same office</u> . An appointed officeholder may also use the word "Appointed" and the title of the office if the candidate is filing for election to the <u>same office</u> or to <u>some other office</u> . | Examples: Appointed Incumbent Appointed Governing Board Member Appointed City Council member | | | | | | |
| Principal Occupation, Vocation, or Profession | on in 3 Words or Less | | | | | | |
| The candidate may use a generic form of their principal profession, vocation, or occupation in no more than three words. Note: California geographical names will be considered one word. See following for RESTRICTIONS ON OCCUPATION DESIGNATIONS. | Examples of acceptable designations: farmer, school teacher, small business owner, legislator Examples of acceptable designations denoting a vocation: housewife, homemaker, parent, mother, father Examples of unacceptable designations: Sunkist Farmer, Divisadero School teacher, Owner of McDonald's | | | | | | |

| NO MISLEADING DESIGNATIONS: The designation must not mislead the voter. No acronyms. | Example: You cannot use "teacher" if you only volunteer teaching Sunday School at church and are not a credentialed teacher. |
|--|--|
| NO STATUSES: The designation must be the candidate's principal occupation or vocation and cannot be a status. | Examples of unacceptable designations: Activist, taxpayer, patriot, concerned citizen, husband, wife, or veteran |
| NO EVALUATIONS: The designation must not suggest an evaluation of a candidate. | Examples of unacceptable designations: outstanding, leading, expert, virtuous, popular, or eminent |
| NO ABBREVIATION OF THE WORD "RETIRED": No abbreviations of the word "retired" may be used and "retired" may not be placed following any word or words it modifies. | Example of acceptable designation: Retired Police Officer Examples of unacceptable designations: Ret. Police Officer Police Officer, Retired |
| NO PREFIXES: No prefix which indicates prior status may be used, except for the word "retired" (see above). | Examples of unacceptable designations: Former Surgeon Ex-School Principal |
| NO POLITICAL PARTY: The name of a political party may not be used, whether or not it has been qualified for the ballot. Note: Central Committee candidates are the exception to this rule. | Examples of unacceptable designations: Republican Legislator Democratic Congressman |
| NO UNLAWFUL ACTIVITIES: No references related to any activity which is prohibited by law may be used. | Example of unacceptable designations: drug dealer |
| NO RACIAL, RELIGIOUS, OR ETHNIC GROUP: No words may be used that refer to a racial, religious or ethnic group. | Examples of acceptable designation: Priest Example of unacceptable designation: Catholic Priest |

(EC § 13107 & Cal Regulation 20710 et seq.)

Notice of Unacceptable Designation

If an Election Official finds an occupational designation to be in violation of the above restrictions, the candidate will be notified by certified mail with a return receipt requested.

The candidate must come to the Elections Office and provide an alternative designation within three (3) days from the date of receipt of the notice. If he/she fails to provide an alternative designation within this time, the candidate's name will appear on the ballot without a designation.

Ballot Designation Worksheet

In case your ballot designation is questioned or determined to be unacceptable, a Ballot Designation Worksheet is required to be filed whenever a ballot designation is indicated on the Declaration of Candidacy. The Ballot Designation Worksheet is due at the same time that the candidate files the Declaration of Candidacy. The worksheet may include information such as proposed alternate ballot designations ranked in order of the candidate's preference in case the original is unacceptable, a statement identifying the factual basis upon which the candidate claims the proposed ballot designation(s) especially if somewhat vague or potentially misleading, and in general, proof or justification of the designation the candidate has selected. (EC 13107.3 and Cal. Code of Reg. § 20711)

CANDIDATE STATEMENT RULES

Length

- Non-Partisan Local Office no more than 200 WORDS.
- Word count standards shall be pursuant to EC 9. Telephone numbers and web site addresses shall count as one word each.

Format

All statements must be submitted on, or attached to, the form provided by the County Election Official. EC 13307 requires Candidate Statements have UNIFORMITY IN APPEARANCE. In addition, there are page layout and spacing restrictions which require candidate statements to adhere to the following rules.

ANY CANDIDATE STATEMENT WHICH DOES NOT CONFORM TO THE RULES BELOW WILL BE CORRECTED BY THE ELECTIONS OFFICIAL.

- Statements must be typed in UPPER & LOWER CASE.
- No BOLD, UNDERLINES, or ITALICS may be used.
- Statements must be in BLOCK PARAGRAPH FORM.
- NO BULLETS, STARS or ASTERISKS are allowed.
- TABLES or LISTS of items or phrases should NOT be vertical or indented, but must be strung together in paragraph format.

Content

Statement shall not, in any way, make reference to other candidates for office or to another candidate's qualifications, character or activities. Moreover, no statement shall contain any demonstrably false, slanderous or libelous statements, nor any obscene or profane language, statements or insinuations.

Statements shall be written in the first person (i.e. "I am running..." <u>not</u> "She is running..." or "Jane Doe is running...") and shall be limited to a recitation of the candidate's own personal background and qualifications.

The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. (EC 13307(a)(1))

Each statement shall be accompanied by a declaration executed under penalty of perjury declaring that the information contained therein is true and correct.

Order of Statements in Sample Ballot Booklet

Statements for the same office will be printed in the voter information pamphlet portion of the Sample Ballot in the order determined by the random alphabet drawn pursuant to EC 13112 or 13111(i), as applicable. Rotation (as provided in 13111) shall not apply to the order in which statements are printed.

<u>Translations into Other Languages</u>

The statements will automatically be printed in languages required by the federal Voting Rights Act. In Tulare County, the County Elections Official will arrange for all statements to be translated, printed and mailed in Spanish as well as English. Translations will be provided by the Election Official, not the candidate. (EC 13307(3b))

Mailing Sample Ballot Booklets

The Elections Office shall send to each registered voter, typically inside the Sample Ballot booklet, the candidate statements of each candidate. (EC 13307). Sample Ballots will be mailed not less than ten (10) days before the election to each voter who is registered at least twenty-nine (29) days prior to the election. (EC 1324). Please take note, voters in mail ballot precincts are sent an official ballot as soon as they are available, starting at twenty-nine (29) days before the election. This may be before all Sample Ballots have been mailed. (EC 3005). Additionally, the Elections Office is not legally required to mail Sample Ballots or candidate statements to voters who register less than fifty-four (54) days before the election. (EC 13306)

Candidate Statement Filing Information

The Candidate Statement shall be filed with the County Elections Official of the county of residence at the time the nomination papers are filed. (EC 11381(b)). If the statement is for an election in which nomination papers are not required to be filed, then the statements must be filed no later than the seventy-fifth (75th) day before the election.

Public Examination Period

Once filed the Candidate Statements shall remain confidential until the expiration of the filing deadline for nomination papers for such office for the election (note: typically at 5:00p.m. on the 75th day prior to the election.) (EC 13311)

Candidate Statements shall be on public display and, as such, subject to examination and challenge by any voter of the jurisdiction, pursuant to EC 13313, for a period of ten (10) calendar days following the close of filing for each such office.

Changing or Withdrawing a Candidate Statement

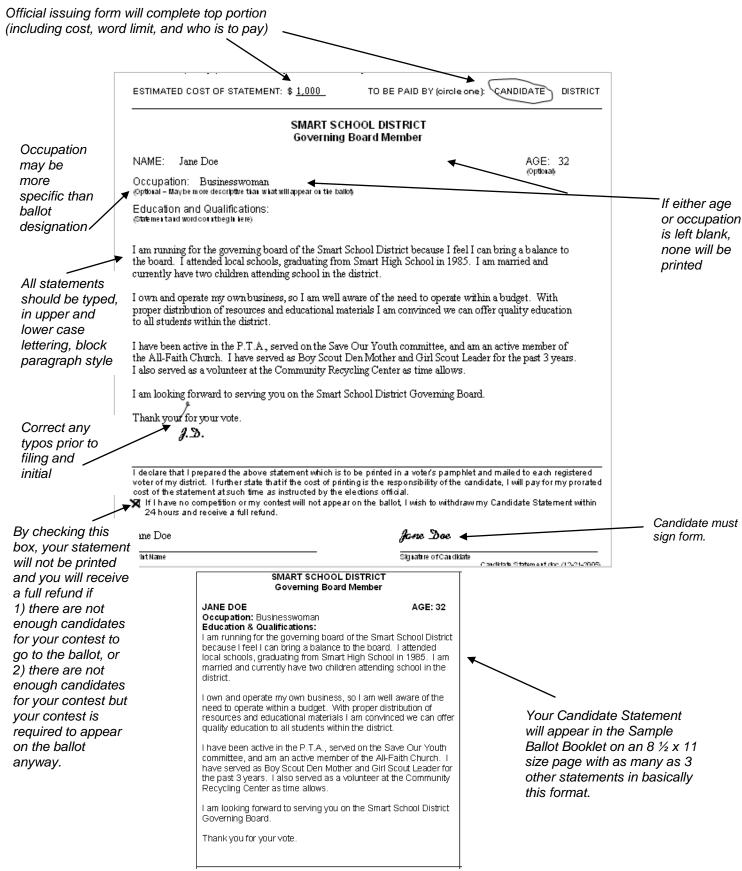
A Candidate Statement may be withdrawn, but shall not be changed, at any time up to 5:00 p.m., the next working day following the filing deadline for nomination papers for such office; except as specifically required by the Elections Official, as provided above. Once withdrawn, a new statement may not be filed. (EC 13307(a)(3))

Cost of Candidate Statements

The cost of each statement is estimated by the county Elections Official. Payment is due upon filing the nomination papers. The estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, 'depending on the actual number of candidates filing statements. Accordingly, the Election Official is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund of any excess paid depending on the final actual cost. (EC 13307(c))

If a candidate alleges to be indigent and unable to pay in advance the requisite fee for submitting a candidate statement, the candidate shall submit an Affidavit of Financial Worth (form available from the Elections Office) and a copy of their last federal income tax report (or a signed release form) to be used by the district in determining whether or not he or she is eligible to submit a candidate statement without payment of the fee in advance. (EC 13309)

Candidate Statement Example



CAMPAIGN FINANCIAL STATEMENTS (FPPC)

Fair Political Practices Commission (FPPC)

428 J Street, Suite 620 Sacramento, CA 95814 Technical Assistance: (866) ASK-FPPC (275-3772) Fax: (916) 322-3711 www.fppc.ca.gov

Secretary of State Political Reform Commission

P.O. Box 1467 1500 - 11th Street, Room 495 Sacramento, CA 95814 Tel: (916) 653-6224 Fax: (916) 653-5045 www.sos.ca.gov/prd

Federal Elections Commission (FEC)

(800) 424-9530 www.fec.gov

Tulare County Registrar of Voters

5951 South Mooney Blvd Visalia, CA 93277 Telephone (ask for Lynnda): (559) 624-7300 Fax: (559) 737-4498 www.tularecoelections.org

E-mail Lynnda: lbboswell@co.tulare.ca.us



FINANCIAL STATEMENT FILING SCHEDULE for LOCAL RECALL ELECTIONS

The below schedule is generic and is provided as an overview of standard filing obligations. We highly recommend filers contact their County Elections Official (or local filing officer) to verify campaign filing deadlines.

| Filing Deadline | Type of Statement | Period Covered by Statement | Method of Delivery |
|-----------------------------|--|---|---|
| 40 days before the election | First Pre-election | * through 45 days before the election | Personal Delivery First Class Mail |
| 12 days before the election | Second Pre-election | 44 days through 17 days before the election | Personal Delivery Guaranteed Overnight Service ** |
| Within 24 Hours | Late Contributions and Late Independent Expenditures of \$1,000 or more | 16 days prior to the election | Personal Delivery Telegram |
| July 31 | Semi-Annual (if election held during 1st six months of year) | * through June 30 | Personal Delivery First Class Mail |
| January 31 | Semi-Annual (if election held during 2nd six months of year) | * through December 31 | Personal Delivery First Class Mail |

^{*} The period covered by any statement begins on the day after the closing date of the last statement filed, or January 1 if no previous statement has been filed.

^{**} Primarily formed committees must file the second pre-election statements by personal delivery or by guaranteed overnight delivery service. General purpose committees may use personal delivery or first class mail.

FINES & WAIVERS STRICT POLICY FOR LATE FPPC DISCLOSURE STATEMENTS

(The Secretary of State instituted this policy in April 1995)

For twenty years, the Political Reform Act has required timely disclosure of the financing of political campaigns and state lobbying.

Unfortunately, over the years there has been a large number of campaign statements filed after legally required deadlines. These late filings deny voters and the general public of important information that should be current and readily available.

Disclosure statements filed late are subject to fines.

Effective immediately, the Registrar of Voters will only consider waiver requests based upon specified "good cause" reasons for late filing. (A complete listing of "good cause" reasons and related documentation are listed on the next page).

Acceptable "good cause" reasons involve situations beyond a filer's control, for example, incapacitating physical illness and natural disasters. The new rules for fine waiver requests are very specific and limited.

Examples of reasons for waiver request that are **NOT** "good cause" reasons and not acceptable:

- not being aware of law or its requirements
- not receiving notice of filing requirements
- not being available to sign forms
- not sending filing to proper official
- not knowing where to get forms
- not having complete information by filing deadline
- not picking up mail
- secretarial error

In addition, it is important to note that the Political Reform Act does not provide <u>any</u> exemptions for late fines if a filer fails to comply with written notification from a filing officer. Specifically, the Act mandates that late fines be imposed if after the filing officer has sent specific written notice

** Primarily formed committees must file the second pre-election statements by personal delivery or by guaranteed overnight delivery service. General purpose committees may use personal delivery or first class mail.

of the filing requirement the campaign statements are not filed within twelve (12) days before an election.

Finally, it is important to remember that the great majority of people who file campaign and lobbying statements comply with the law. Many individuals devote long and hard hours to ensuring that disclosure statements are complete, accurate and filed on time. Consequently, it is a simple matter of fairness to implement a more rigorous policy for waiving fines imposed on those filers who are not diligent.

FPPC FORMS OVERVIEW for CANDIDATES FOR LOCAL OFFICES

Most candidates must file either a 470 (Short Form) or a 460 (Long Form) to disclose their campaign's financial activities. If no money will be spent or received a 470 is filed. All Candidates must file a Form 700. If a 460 is to be filed, we recommend the candidate request a Manual 2 detailing filing obligations. Strict fines may result from failure to file a campaign statement in the time and manner required. The chart below is meant as an "extreme" overview and should in no way replace the Information Manuals or the advice of your legal counsel.

| FORM # | WHO FILES | FILING DEADLINE | WHERE TO FILE | DELIVERY METHOD |
|--------------|--|--|---|---|
| 470 | For candidates who 1) Do NOT have a controlled committee. 2) Do NOT anticipate receiving contributions totaling \$1,000 or more during the calendar year. 3) Do NOT anticipate spending \$1,000 or more during the calendar year. | Due at the time of filing Declaration of Candidacy | Filing Officer who receives campaign statements. For City Council & Visalia Unified School Board Candidates filing officer is City Clerk. For School and/or Special District Candidates filing officer is County Elections Office. | Usually in person when filing Declaration of Candidacy. |
| 470 Supp. | A 470 Supplemental is filed by any candidate who has filed Form 470 and subsequently 1) receives contributions totaling \$1,000 or more, or 2) makes expenditures totaling \$1,000 or more. | Must be sent within 48 hours of 1) receiving contributions of \$1,000 or more, or 2) making expenditures totaling \$1,000 or more. | Filing Officer who receives campaign statements & each candidate seeking the same office. For City Council & Visalia Unified School Board Candidates filing officer is City Clerk. For School and/or Special District Candidates filing officer is County Elections Office. | Notice must be sent by telegram, guaranteed overnight delivery service, or facsimile transmission if available. Regular mail may NOT be used. |

| FOR | M # | WHO FILES | | FILING DEADLIN | NE | WHERE TO FILE | | DELIVERY METHOD |
|-----|---|--|--|--|------------------|---|--------------------------|---|
| 460 | 1) Candidate raised or spent, or will raise or spend \$1,000 or more during the calendar year. State Scheet | | Staten Sched | Financial nent Filing lule for November 1 Election" in this | For So Candid | Officer who receives campaign nents. Ity Council & Visalia Unified of Board Candidates filing is City Clerk. Chool and/or Special District dates filing officer is County ons Office. | Stater Sched Nover | Financial ment Filing dule for mber 8, 2011 on" in this |
| | your fi | | a campa | aign statement in the | recom e appro | mend that you obtain/request a priate time and manner required | | |
| 501 | | candidate Intention Statemer generally filed by candidates the will be spending money or recany contributions towards their campaign, including personal used for the election. Do NOT FILE 501 if: you will solicit or receive contributions others and the only expendite will be from your personal furnised only for the candidate statement fee. | hat eiving r funds NOT from ures | 501 must be filed by you solicit or receive contributions or be you make any expenditure from personal funds on of your candidacy. | e any fore | Filing Officer who receives can statements. For City Council & Visalia Un School Board Candidates filin officer is City Clerk. For School and/or Special Discandidates filing officer is Coun Elections Office. | ified g strict | Mail |

| FORM # | WHO FILES | FILING DEADLINE | WHERE TO FILE | DELIVERY METHOD |
|--------|---|--|---|----------------------------|
| 410 | Statement of Organization / Recipient Committee Form INITIAL Filed by any individual (including an officeholder or candidate), group of individuals, organization, or any other entity that receives contributions totaling \$1,000 or more during a calendar year. A Candidate's personal funds used to pay a filing fee or candidate statement fee are not counted toward the \$1,000 threshold. | INITIAL Must be filed within 10 days of receiving \$1,000 in contributions. If a recipient committee qualifies during the last 16 days before an election, due within 24 hours. | Original + one copy - filed with Secretary of State - Political Reform Division. One copy - filed with filing officer who receives campaign statements.* *For City Council and Visalia School Board Candidates filing officer is City Clerk. For School and/or Special District Candidates filing officer is County Elections Office. | Mail or personal delivery. |
| | TERMINATION You do NOT automatically terminate your filing obligations. Must be filed when eligible to terminate filing obligations (such as filing Form 460s), basically when all accounts are at zero and there will be no further campaign activity. (See FPPC documentation for further details). | TERMINATION When termination circumstances are met. Typically after candidate is defeated or when an officeholder leaves office. | | |

<u>Download blank forms or complete your forms on-line!</u>

Need blank forms to fill out? Don't really like filling out your forms by hand, but don't have a typewriter? If you have access to the internet, go to either website below. You can print out blank forms or complete your forms on-line, then print them out with a clean, typed look.

www.tularecoelections.org www.fppc.ca.gov OR

IMPORTANT THINGS TO REMEMBER

1. BE INFORMED

Study FPPC Manual 2. Local candidates should ask their Election Official about any local campaign restrictions.

2. BEFORE RAISING OR SPENDING ANY MONEY

File Form 501 (Candidate Intention). Then open a campaign bank account. Once \$1,000 is raised or spent, get an identification number by filing Form 410.

3. MARK YOUR CALENDAR

Know the due dates for campaign statements and file on time.

4. KEEP GOOD RECORDS

Maintain details of contributions and expenditures of \$25 or more. Refer to record-keeping guidelines in Manual 2.

5. \$100 OR MORE IN CASH?

Never accept or spend \$100 or more in cash.

6. USING PERSONAL FUNDS FOR CAMPAIGN EXPENSES

All personal funds of the candidate must first be deposited in the campaign bank account, except for filing fee/candidate statement fee.

7. REPORT LATE CONTRIBUTIONS

If \$1,000 or more is received from one contributor during the last sixteen (16) days before the election, disclose receipt within twenty-four (24) hours, even if the contribution is from your personal funds.

8. ITEMIZE CONTRIBUTORS

For contributions of \$100 or more, including loans and in-kind contributions, you must disclose the contributor's name, address, occupation and employer.

9. IF AN AGENT OR CAMPAIGN CONSULTANT BUYS GOODS OR SERVICES FOR THE CAMPAIGN

Itemize expenditures of \$500 or more made by the agent or consultant.

10. IDENTIFY CANDIDATE/COMMITTEE ON MAILINGS

Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than two hundred (200) pieces). Your committee's name may be used if it includes your name. If your name is not part of the committee's name, you may use just your name, or both your name and the name of the committee.

11. NO PERSONAL USE OF CAMPAIGN FUNDS

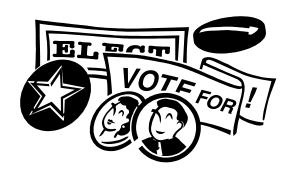
Use campaign funds only for political, legislative, or governmental purposes.

12. BE MORE INFORMED

Attend a campaign workshop in your area. Contact your filing officer or the FPPC if you have any questions.

(the above is not necessarily applicable to federal offices)

CAMPAIGN LAWS & REGULATIONS



POSTING POLITICAL SIGNS

State Rules

§ 5405.3 of the State Outdoor Advertising Act, exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a scheduled election.
- B. Is placed not sooner than ninety (90) days prior to the scheduled election and is removed within ten (10) days after that election.
- C. Is no larger than thirty-two (32) square feet.
- D. Has had a Statement of Responsibility filed with the Department of Transportation certifying a person who will be responsible for removing the sign.

A Statement of Responsibility form can be obtained from the County Elections Office and should be returned to: Department of Transportation, Division of Traffic Operations, Central California Outdoor Advertising Branch, P.O. Box 942874, MS-36, Sacramento, California, 94274-0001. Their phone number is (916) 651-1254

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within six hundred and sixty (660) feet of the edge of the right-of-way of a classified "landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. (Information above obtained from the Department of Transportation letter re: regulation of "Temporary Political Signs" dated November 2005).

County Rules

[Contact the Tulare County Resource Management Agency (ask for Steve Kelley, Road Use Investigator) at (559) 624-7174 OR 5961 S. Mooney Boulevard in Visalia (across from Mooney Grove in the Government Plaza building)].

A posting of any kind on county property is prohibited. County property means any real or personal property owned, leased or operated by the County and includes County property leased or licensed to third parties. (Ordinance 3332, § 2-09-1000 through 2-09-1025 – passed by Resolution 2006-0676 on 8/9/2006)

City Rules

Most cities have additional restrictions on the posting of political signs within their city limits. The following are excerpts from their ordinances. Please contact the numbers listed for more information or for a complete set of their rules.

City of Visalia

§ 17.48.090 - Political, campaign or nonprofit organization signs.

Political or campaign signs shall be erected in accordance with the following provisions: (no permit required)

- A. Any such sign shall be erected not earlier than seventy-fifth (75) days prior to the election and shall be removed within fifteen (15) days after such election. Candidates successful in a primary election are subject to the same provisions and shall remove signs fifteen (15) days prior to following the primary election and may erect signs not earlier than seventy-fifth (75) days prior to the general election.
- B. 1. Each candidate is allowed one political sign per parcel. On residential sites, the sign may be a maximum of sixteen (16) square feet in area and erected to a maximum height of six (6) feet. On commercial or vacant sites, the sign may be a maximum of thirty-two (32) square feet in area and erected to a maximum height of six (6) feet except as provided in subsection (D) of this section.
 - 2. For the purpose of this provision, "residential site" means a lot or parcel which has a residential use or structure built on it and "commercial site" means a lot or parcel which has a commercial use or site on it. Residential or commercial sites are not intended to reflect the zoning of the property.
- C. Political or campaign signs may not be attached to trees, fence posts or utility poles except on private property where written permission from the property owners has been obtained.
- D. Portable or temporary "A"-frame signs are prohibited. V-shaped signs (two surfaces with two edges connected and the other two edges spread apart so that the faces are read from different directions) are permitted subject to the criteria that they are supported with a maximum of three (3) posts placed with an interior angle of not more than ninety (90) degrees.
- E. No political or campaign signs shall be attached and erected on public property or within the public right-of-way and shall not obstruct sight line visibility at intersections.
- F. In cases where political or campaign signs are not removed within the specified time period, the city planning department shall cause to be removed those signs which remain and the cost and expense of such activity shall be paid by the candidate.
- G. Signs promoting social events of nonprofit organizations are subject to the same basic requirements as political signs. (Prior code § 7618)

For information, call the City Clerk at (559) 713-4512 and ask for Donjia Huffman.

Gas Company Recommendations

When digging holes in order to post signs The Gas Company would like you to be aware that there are dangers of damaging gas and other utility lines. California One Call Law (Government Code 4216) requires that you call Underground Service Alert (USA) - two (2) days prior to digging. USA is a simple free one-call notification service to notify all member utility companies of your planned excavation. After you have delineated the exact digging location with white spray paint, the utilities will mark any underground lines in the area that may be affected by the proposed excavation. Call 1-800-227-2600 or 811.

Hanging Campaign Signs on Telephone or Utility Poles is Prohibited.

The unauthorized attachment to supply, street light or communication poles or structures of signs, posters, banners, decorations, or any other such equipment foreign to the purposes of overhead electric line construction is a violation of Public Utilities Commission General Order 95 (Rule 34-A1a). Further, candidates and their campaigns that put signs on utility or communication poles are liable for the cost of any repair or injury resulting from such posting. (Public Utilities Code §10251)

VOTER REGISTRATION DRIVES

Last Day to Register for April 13, 2013 Recall Election: March 25, 2013

Candidates are allowed to distribute and collect voter registration cards. Registration cards can be obtained at any time from the County Elections Office upon completion of a "Voter Registration Card Statement of Distribution Plans" form. The rules are as follows:

- 1. A person entitled to vote must be a U.S. citizen, a resident of California, not in prison or on parole for the conviction of a felony, and at least eighteen (18) years of age at the time of the election. (EC 2106)
- 2. No fee may be charged for registration. (EC 2121)
- 3. Completed voter registration cards received from voters <u>shall</u> be returned to the Election Official **within three (3) days**. (EC 2138)
- 4. On the day of the close of registration for any election, all organizations <u>shall</u> immediately return all completed affidavits of registration in their possession. Unused cards <u>shall</u> be returned upon completion of the distribution plan. (EC 2139)
- 5. If any person assists in completing an affidavit of registration, that person shall sign and date the affidavit below the signature of the voter. (EC 2150(d)) Person assisting must also sign and deliver the stub and instructions to the voter. (EC 2158 (b)(1))

POLITICAL ADVERTISEMENT REQUIREMENTS

Any paid political advertisement that refers to an election or to any candidate for elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement". The words shall be set apart from any other printed matter.

"Paid Political Advertisement" means and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective office. (EC 20008)

ELECTIONEERING (CAMPAIGNING) NEAR POLLING PLACES

No person, on Election Day, shall within one hundred (100) feet of a polling place:

- (1) Circulate an initiative, referendum, recall, nomination petition or any other petition.
- (2) Solicit a vote or speak to a voter on the subject of marking his or her ballot.
- (3) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications.
- (4) Do any electioneering.

As used in this section "one hundred (100) feet of a polling place" means a distance of one hundred (100) feet from the room or rooms in which voters are signing the roster and casting ballots. These provisions also apply to campaign signs on or in a truck or car parked within one hundred (100) feet of a polling place.

Any person who violates any of the provisions of this section is guilty of a misdemeanor. (EC 18370)

MASS MAILING OF CAMPAIGN LITERATURE

(Pursuant to EC § 16)

The following section of the Government Code does not constitute all of the law pertaining to this subject matter. However, Section 16 of the Elections Code requires that you be provided with the full text of this section at the time of filing your declaration of candidacy or petition for local initiative of referendum.

GOVERNMENT CODE 82041.5

"Mass mailing" means over two hundred (200) substantially similar pieces of mail, but does not include a form letter or other mail which is sent in response to an unsolicited request, letter or other inquiry.

GOVERNMENT CODE 84305

- (a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6-point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.
- (b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.
- (c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

EXIT POLL TAKING

Exit poll taking must be at least twenty-five (25) feet from the door of the polling place. (Daily Herald Co. v. Munro (1988) 838 F. 2d 380)

FREQUENTLY ASKED QUESTIONS



WHERE TO REPORT CAMPAIGN COMPLAINTS

- 1. Where do I report false or misleading campaign materials? No agency enforcement. These issues are dealt with in court.
- Where do I report violations of the Political Reform Act? (Title 9 of the California Government Code at § 81000 through 91015), i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign funds; disclosure of economic interests; contact the Fair Political Practices Commission at www.fppc.ca.gov or 866-275-3772 or 916-322-5660.
- 3. Where do I report election fraud? Contact your local district attorney at (559) 636-5494 or the California Secretary of State at www.sos.ca.gov or 916-657-2166.
- 4. Where do I report unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act? Contact your local district attorney at (559) 636-5494 or the California State Attorney General at www.oag.ca.gov or 800-952-5225.
- Where do I report problems with a federal campaign like Congress, U.S. Senate, or President of the United States? Contact the Federal Election Commission at www.fec.gov or 800-424-9530.
- 6. Where do I report violations of the open meeting laws (Brown Act)? Contact your local district attorney at (559) 636-5494 or the California State Attorney General at www.oag.ca.gov or 800-952-5225.
- 7. Where do I get information on local ordinances? Contact your local city attorney or the District Attorney at (559) 636-5494.
- 8. Where do I report vandalism or get requirements concerning campaign signs? Contact local city attorney or Tulare County District Attorney at (559) 636-5494.

FEDERAL & STATE ENFORCEMENT OFFICES

CANDIDATE FILING

Fair Political Practices Commission 428 J Street, Suite 620 Sacramento, CA 95814 866-275-3772 | FAX: 916-322-3711

Reporting Enforcement Violations 800-561-1861

Secretary of State Elections Division 1500 11th Street, Fifth Floor Sacramento, CA 95814 916-657-2166 | FAX 916-653-3214 Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento, CA 95814 916-653-6224 | FAX 916-653-5045

Federal Election Commission 999 E Street, NW Washington, DC 20463 800-424-9530 Hearing Impaired - TTY 202-219-3336

Attorney General P.O. Box 944255 Sacramento, CA 94244-2550 916-322-3360 | 800-952-5225

- 1. **Is the Elections Office open during the lunch hour?** Yes. Office hours are 7:30 a.m. to 5:30 p.m. on Monday through Thursday. On Friday we are open 8:00 a.m. to noon.
- 2. **How can I find out who else has filed for my contest?** This is public information. You can obtain this information by viewing the log at the Elections Office, calling or going to our website at www.tularecoelections.org. The Candidate List on our website is updated every day between 4:30 p.m. and 5:30 p.m.
- 3. What happens if I am the only candidate to file for an office? In most cases if there are insufficient nominees for a contest (no competition), those candidates that filed will be appointed in lieu of election (they shall qualify and take office and serve as if elected) and the contest will not appear on the ballot. Note: this rule does not necessarily apply to judicial, county or city offices.
- 4. What if I change my mind about being a candidate after filing nomination papers? You may withdraw as a candidate at any time prior to the close of the nomination period. After that date you are not permitted to officially withdraw and your name will appear on the ballot. (EC 10510)
- 5. I am really busy, is there a way to make the candidate filing process faster? Yes. You can make an appointment before coming in to pick up your nomination documents so we can have your nomination papers already printed out and ready when you get here. Typically, for contests that don't require nomination signatures, the process in the Elections Office can be done in about fifteen (15) minutes.
- 6. May I change or correct the wording or spelling on my candidate statement after it has been filed? No, you may not make any changes to your candidate's statement once it has been filed. Check your candidate statement carefully before filing. No responsibility or liability is assumed by the Elections Official for errors in spelling, punctuation, grammar, etc. The statement is entirely the candidate's responsibility.
- 7. If I file a voluntary candidate statement and I change my mind, may I withdraw the statement and receive a refund? Yes, with certain conditions. The candidate statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period. If you withdraw your statement within this time frame, you will receive a refund. After this time frame, your statement cannot be withdrawn, nor a refund given. (EC 13307(3)) Candidate statements are not printed if the contest does not go to the ballot. Additionally, when filing the statement, the candidate can indicate no statement is to be printed if no other candidate files for that contest.

ELECTION NIGHT

- 1. How can I get election night results? The Elections Office will be glad to add you or your campaign committee onto our election night e-mail list. The latest election result report is attached to the e-mail and sent out as results are updated throughout the evening. If you prefer, the same results are also updated on our website throughout the evening. Printed reports are also available at our front counter.
- 2. Can I come to the Elections Office on election night to watch the process? Yes. The election process is open to the public.
- 3. What time do you release the first report on election night? The Elections Office will release the first report at about 8:05 p.m. on election night. The first report usually includes all Vote by Mail and mail precinct ballots received up to the day before the election. The remaining Vote by Mail and mail precinct ballots received through 8:00 p.m. on election night are processed during the official canvass and those results are included in the official certified results after Election Day.
- 4. When are you usually done counting on election night? It is the goal of the Tulare County Elections Office to have our election night final report released before 11:00 p.m.
- 5. If I have the most votes on election night, do I win? The final results announced on election night are not the final certified results. On Election Day, there are sometimes thousands of Vote By Mail and provisional ballots turned in at the polls that require processing before being included in the final certified count. Law allows the Elections Office up to twenty (20) and sometimes twenty-eight (28) calendar days to finish counting all the ballots and complete our canvass of the election. Our office attempts to provide periodic updates on our web page of updated results as well as our progress towards certifying the election. The election results are not final until the official certified results are released.
- 6. **Will I be notified that I have won?** No, not by the Elections Office. After the final official certified results are complete, Certificates of Election and Oaths of Office are sent to the district office, administrative office or county department, depending upon the contest. The district or department will usually take care of the swearing in ceremony, if any, and notification.



VOTE BY MAIL PROCESS

1. If a voter loses the Vote by Mail ballot that was sent to them, can they get another one?

YES. Call the Elections Office for a replacement ballot. (EC 3014) The Elections Official maintains a record of each request, and provides a list of these requests to the polling place to ensure that each voter casts only one ballot. If you vote twice by Vote by Mail ballot, even if by mistake, neither ballot will be counted. (EC 18560)

2. Can I give my voted "Vote by Mail" ballot to someone else to return for me? If you are ill, or have a physical disability, you may designate a relative (spouse, child, parent, grandparent, grandchild, brother, sister or other person living in the same household) to return your voted ballot for you. Your relative may return it in person to the Elections Office or to a polling place in your county, or may place it in the mail for return to the Elections Official. Contact your county elections official for more information. (EC 3017)

3. If I request a Vote by Mail ballot, can I change my mind and still vote at my regular polling place?

YES. You must bring your non-voted Vote by Mail ballot and give it to the polling place worker before voting a regular ballot. (EC 3015)

If you are unable to surrender your Vote by Mail ballot, you may still cast a "provisional" ballot at your polling place which will not be counted until the County Elections Official can determine that you have not also voted by Vote by Mail ballot. (EC 3016 and 14310)

4. How are Vote by Mail ballots counted?

In general, Vote by Mail ballots are counted the same as regular ballots cast at a polling place. Once it is determined that the signature on the Vote by Mail ballot return envelope matches the signature of the voter on his or her voter registration card, the ballot and the envelope are separated. The processing of Vote by Mail ballot return envelopes, and the counting of Vote by Mail ballots shall be open to the public, both prior to and after the election. (EC 15101 & 15104(a))

If the Vote by Mail ballot is challenged, and that challenge is upheld, the ballot remains in the envelope, is not counted, and the reason is indicated on the envelope. (EC 15105 & 15108)

The first results you are likely to hear reported on election night usually reflect votes cast by Vote by Mail ballot. These, however, are not complete totals and may reflect only those Vote by Mail ballots returned prior to Election Day. Those ballots received prior to Election Day can be "processed" (i.e. verify the signature, etc.) within the seven (7) business days prior to an election. Under no circumstance may a vote count be accessed or released until the polls close on Election Day. (EC 15101)

A substantial number of additional Vote by Mail ballots are returned on Election Day either to the polling place or to the Elections Office. These ballots, because they require the extra handling of checking the voter's signature, and ensuring the voter did not also vote at the polling place, are usually the last ballots counted, and are not likely to be reported in the vote totals until after the Election Day. (EC 3102)

SERVICES AVAILABLE TO CANDIDATES



TULARE COUNTY ELECTIONS DIVISION FEES & CHARGES

(Board approved on April 26, 2011; effective July 1, 2011) All prices subject to taxes where applicable.

| VOTER & ELE | CTION | INFORMATION | |
|--|------------|--|----------------------------------|
| Description of File | Cost | Unit | Additional Charges |
| EI | ectronic F | iles | |
| Voter File Extract (MVMJ004) | | | |
| Less than 20,000 Registered Voters | \$27.85 | Per District | CD \$2 each |
| History (up to 5 elections) | \$27.85 | Per Election | E-Mail or FTP \$0 |
| History (all elections) | \$139.25 | | , |
| More than 20,000 Registered Voters | \$55.70 | Per District | CD \$2 each |
| History (up to 5 elections) | \$55.70 | Per Election | E-Mail or FTP \$0 |
| History (all elections) | \$278.50 | F EI LIECTION | L-IVIAII OI I I F \$0 |
| Statement of Vote (one election per file) | Ψ270.00 | | CD \$2 each |
| - TXT File Versions (comes with PDF version) | \$27.85 | Per File | E-Mail or FTP \$0 |
| - PDF File Version only | \$5.00 | | |
| All Other Election Data Extracts | \$27.85 | Per File | CD \$2 each |
| | · | | E-Mail or FTP \$0 |
| | Printed Da | ta | |
| Statement of Vote (full book format) | Varies | Total cost for copying and binding report. | |
| Computer Printed Reports or Lists | | | |
| 50 pages or less | \$27.85 | Per Request | CD \$2 each |
| More than 50 pages | \$0.10 | Per Page (over 50) | E-Mail or FTP \$0 |
| Precinct Index (MVMR10) | \$0.50 | Per 1000 Reg Voters | CD \$2 each E-Mail or FTP \$0 |
| Labels | | | a 51111 |
| Setup Fee | \$27.85 | Per File | CD \$2 each |
| + Label Cost | | Per 1000 labels | E-Mail or FTP \$0 |
| VBM & Mail Precinct Information AVMJ004 - AVMJ011 | | | |
| Data Received Daily (17 days) | | | Labels \$12 per 100 |
| Setup + Media Charge | \$473.45 | Per Election | CD \$2 each |
| Setup + Media Charge | ψ+13.43 | I GI LIGGUIOII | E-Mail or FTP \$0 |
| Data Received Individual (limit 4 per election) | | | |
| Setup + Media Charge | \$27.85 | Per File | |

| VOTER & ELE | CTION | INFORMATION | |
|--|------------------|---|----------------------------------|
| Description of File | Cost | Unit | Additional Charges |
| C | opy Charg | es | |
| Political Reform Documents | \$0.10 | Per page (Govt. Code 81008) | CD, E-Mail & FTP not available |
| Retrieval Fee-Political Reform Document (reports & statements 5 or more years old) | \$5.00 | Per request (Govt. Code 81008) | CD, E-Mail & FTP not available |
| Affidavit of Registration | \$1.50 | Each (Elections Code 2167) | CD, E-Mail & FTP not available |
| Other Documents or Printed Reports | \$0.10 | Per page | |
| Statement of Vote | \$0.10 | Per Page | |
| | Media Cos | | T |
| C.D. | \$2.00 | | A.C |
| Labels | • | Per 1000 labels | After setup fee |
| All Other Election Data Extracts | \$27.85 | Per File | CD \$2 each E-Mail or FTP \$0 |
| | Maps | | , |
| Paper Maps - Color or Black & White 8 ½" x 11" or 8 ½" x 14" 11" x 17 | \$2.00 \$7.00 | Each (existing maps only) | CD, E-Mail & FTP not available |
| Electronic Maps | \$30.00 | Each (existing maps only) | CD \$2 each E-Mail or FTP \$0 |
| All other maps and mapping services | | Please see GIS department | |
| | Misc Fees | | |
| Returned Check | \$15.75 | 2001-0147 Government Code 6157(b) | |

CONFIDENTIAL VOTER DATA

The street address, telephone number, driver's license (or identification card) number, precinct number and certain other information about registered voters is confidential under California law, and the Elections Office is prohibited from publicly disclosing that information to any person except for specified purposes. We can release the information to: any candidate for federal, state, or local office; any committee for or against any initiative, referendum, recall or bond measure for which legal publication is made; any person for **election**, **scholarly**, **journalistic**, **or political purposes**; and any person for **governmental purposes**, as determined by the Secretary of State. *(California EC* § 2187, 2188, and 2194)

WHAT IS NEEDED TO ORDER CONFIDENTIAL VOTER DATA?

Before the Elections Office may publicly disclose confidential voter information to a requester, the requester must complete and sign, under penalty of perjury, an Application for Voter Registration Information Form, and include the following: a copy of the requester's driver's license, state identification card or other identification approved by the Secretary of State; payment for the cost of the file/data (cash, check or money order), AND provision for shipping and/or delivery, either in payment for shipping costs (providing your FedEx account number is recommended) or instructions as to how to deliver data (for example, how to notify requester when data is available for pickup).

PAYMENT

Payment can be made in the form of cash, check, or money order. We do not accept credit cards or debit cards. Payment must be received by the Elections Office BEFORE we will begin processing your request.

ORDERING VOTER OR ELECTION DATA THAT DOES <u>NOT</u> REQUIRE AN APPLICATION

As on the chart above showing what data is available, not all data requires an Application for Voter Registration Information Form. If the data requested does not require an Application, simply put your request in writing, being as specific as possible. Be sure to specify how you prefer the data to be delivered as well as a contact name and number in case of any questions.

RESTRICTIONS ON PURCHASING A PRECINCT INDEX

The County Elections Office has a listing of all registered voters by district at the cost of \$.50 per thousand registered voters (\$.50 minimum). The listing is sorted by precinct, then by residential address, and name. It also shows political party and telephone number, if provided by the voter. This list is designed for precinct walking or phone banks, but does not have mailing addresses so is not recommended for use in mailing political material. The Elections Code has limited the number of precinct indexes a candidate or his/her campaign may purchase to two (2) per registration reporting close.

Two (2) precinct indexes may be purchased in each of the time frames listed below:

- * 113 and 60 calendar days before the election
- * 59 and 15 calendar days before the election
- * the last 15 days before the election



APPLICATION FOR VOTER REGISTRATION INFORMATION

Pursuant to EC § 2187, 2188, and 2194, voter registration information is available to persons or groups for ELECTION, SCHOLARLY, JOURNALISTIC, POLITICAL or GOVERNMENTAL purposes as determined by the Secretary of State. All requests to view, purchase, or use voter registration information must be accompanied by a written application.

| NAME: | | |
|--|--|--|
| DRIVER'S LICENSE #: | STATE: | EXPIRATION DATE: |
| RESIDENCE ADDRESS: | | |
| HOME TELEPHONE #: | BUSINESS TELE | EPHONE #: |
| BUSINESS OR MAILING ADDRESS: | | |
| this information | • | a business, candidate, committee or group) you must complete MITTEE OR GROUP REQUESTING INFORMATION: |
| · | | |
| ☐ Diskette ☐ Precinct Index ☐ Report ☐ Only incl | ecinct):ude voters within this political party: | |
| Specify the intended use of the confid | ential voter registration information: | |
| political research, or governmental purpor election, scholarly, journalistic, political of 18109) The applicant agrees to pay the State of REGISTRATION INFORMATION an am | oses, who knowingly uses or permits the use or governmental purpose, is guilty of a misde California, or the source agency, as compe ount equal to the sum of fifty cents (\$.50) m | tions purposes, or pursuant to Section 607 for election, scholarly or e of all or any part of that information for any purpose other than an emeanor. (California EC, Division 17 Penal Provisions, Section ensation for any UNAUTHORIZED USE OF EACH INDIVIDUAL'S nultiplied by the number of times each registration record is used by 01 - 19007 of California Administrative Code) |
| tapes or disks, printed labels and/or com GOVERNMENTAL PURPOSE as detern given to any person, organization or age | puter-printed listings will be used only for E nined by the Secretary of State. The informa ncy, without first receiving written authorizat | on or derived from computer terminals, electronic data processing ELECTIONS, SCHOLARLY, JOURNALISTIC, POLITICAL OR ation (or a portion or copy thereof) will not be sold, leased, loaned, or tion to do so from the Secretary of State or the county elections discorrect under the laws of the State of California. |
| Date: | City & State of Signing: | |
| Signature: | | |

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRAFFIC OPERATIONS OUTDOOR ADVERTISING PROGRAM



Dear Candidate or Committee Member:

As a candidate or campaign worker for either office or a ballot measure, this reminder about State law governing campaign signs should be helpful to you.

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of Temporary Political Signs from normal outdoor advertising display requirements.

A Temporary Political Sign meets the following criteria:

- A. Encourages a particular vote in a schedule election.
- B. Is placed not sooner than 90 days prior to the schedule election and is removed within 10 days after that election.
- C. Is no larger than 32 square feet.
- D. Has had a Statement of Responsibility filed with the Department certifying a person who will be responsible for removing the sign (Attached).

A completed Statement of Responsibility must be submitted to:

Division of Traffic Operations Outdoor Advertising Program P.O. Box 942874, MS-36 Sacramento, CA 94274-0001

Temporary Political Signs shall not be placed within the right-of-way of any highway, or be visible within 660 feet from the edge of the right-of-way of a classified "Landscaped freeway".

State law directs the Department of Transportation to remove unauthorized Temporary Political Signs and bill the responsible party for their removal. We are calling these provisions to your attention to avoid possible embarrassment or inconvenience to you and your supporters. Please share this information with those assisting in your campaign.

Should you have any questions, comments or need additional information, please call (916) 651-9327.

Enclosure

DEPARTMENT OF TRANSPORTATION

DIVISION OF TRAFFIC OPERATIONS OUTDOOR ADVERTISING PROGRAM

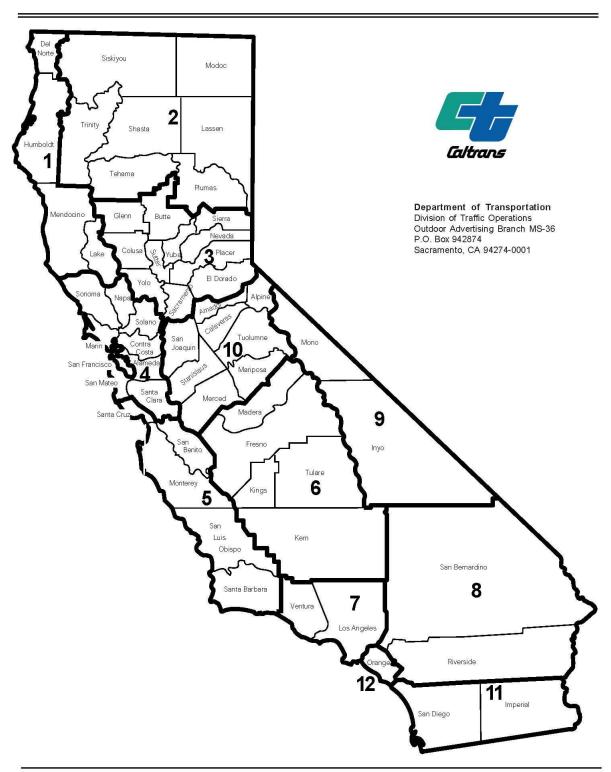


STATEMENT OF RESPONSIBILITY FOR TEMPORARY **POLITICAL SIGNS**

| Election Date: | June | November | Other: |
|------------------------------|-----------------|------------------------|---|
| Candidate's Name: | | | |
| | | | |
| County where sign(s) w | vill be placed: | | |
| Number of signs to be J | placed: | | |
| RESPONSIBLE PART | Y: | | |
| Name: | | | |
| Address: | | | |
| | | | |
| Phone Nun | nber (Include A | Area Code) | |
| · · | | • | val of Temporary Political Signs placed for the above candidate or proposition. |
| prior to the election and | d/or not remov | ed within ten (10) day | gns placed sooner than ninety (90) days after the election, may be removed by any associated removal costs. |
| SIGNATURE OF RESPOSIBLE PART | | | DATE |
| Mail Statement of Res | sponsibility to | • | |

Division of Traffic Operations Outdoor Advertising Program P.O. Box 942874, MS-36 Sacramento, CA 94274-0001

OUTDOOR ADVERTISING DISPLAY



JANUARY 2011

NOTES

| January | | | | | | | | | |
|---------|-----|-----|-----|-----|-----|-----|--|--|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | | | |
| | | 1 | 2 | 3 | 4 | 5 | | | |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 | | | |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 | | | |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 | | | |
| 27 | 28 | 29 | 30 | 31 | | | | | |

| April | | | | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|--|--|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | | | |
| | 1 | 2 | 3 | 4 | 5 | 6 | | | |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 | | | |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 | | | |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 | | | |
| 28 | 29 | 30 | | | | | | | |
| | | | | | | | | | |

| | | | July | | | |
|-----|-----|-----|------|-----|-----|-----|
| SUN | MON | TUE | WED | THU | FRI | SAT |
| | 1 | 2 | 3 | 4 | 5 | 6 |
| 7 | 8 | 9 | 10 | 11 | 12 | 13 |
| 14 | 15 | 16 | 17 | 18 | 19 | 20 |
| 21 | 22 | 23 | 24 | 25 | 26 | 27 |
| 28 | 29 | 30 | 31 | | | |

| | | (| Octobe | T. | | |
|-----|-----|-----|--------|-----|-----|-----|
| SUN | MON | TUE | WED | THU | FRI | SAT |
| | | 1 | 2 | 3 | 4 | 5 |
| 6 | 7 | 8 | 9 | 10 | 11 | 12 |
| 13 | 14 | 15 | 16 | 17 | 18 | 19 |
| 20 | 21 | 22 | 23 | 24 | 25 | 26 |
| 27 | 28 | 29 | 30 | 31 | | |

| February | | | | | | | | | |
|----------|-----|-----|-----|-----|-----|-----|--|--|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | | | |
| | | | | | 1 | 2 | | | |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 | | | |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | | | |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 | | | |
| 24 | 25 | 26 | 27 | 28 | | | | | |
| | | | | | | | | | |

| | | | May | | | |
|-----|-----|-----|-----|-----|-----|-----|
| SUN | MON | TUE | WED | THU | FRI | SAT |
| | | | 1 | 2 | 3 | 4 |
| 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 12 | 13 | 14 | 15 | 16 | 17 | 18 |
| 19 | 20 | 21 | 22 | 23 | 24 | 25 |
| 26 | 27 | 28 | 29 | 30 | 31 | |
| | | | | | | |

| August | | | | | | | | |
|--------|-----|-------|-----|-----|------|-----|--|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | | |
| | | | | 1 | 2 | 3 | | |
| 4 | 5 | 6 | 7 | 8 | 9 | 10 | | |
| 11 | 12 | 13 | 14 | 15 | 16 | 17 | | |
| 18 | 19 | 20 | 21 | 22 | 23 | 24 | | |
| 25 | 26 | 27 | 28 | 29 | 30 | 31 | | |
| 450 | | 75/10 | | | 0000 | | | |

| | | No | ovembe | er | | |
|-----|-----|-----|--------|-----|-----|-----|
| SUN | MON | TUE | WED | THU | FRI | SAT |
| | | | | | 1 | 2 |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |

| March | | | | | | | |
|-------|-----|-----|-----|-----|-----|-----|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | |
| | | | | | 1 | 2 | |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 | |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 | |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 | |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 | |
| 31 | | | | | | | |

| June | | | | | | | |
|------|-----|-----|-----|-----|-----|-----|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | |
| | | | | | | 1 | |
| 2 | 3 | 4 | 5 | 6 | 7 | 8 | |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 | |
| 16 | 17 | 18 | 19 | 20 | 21 | 22 | |
| 23 | 24 | 25 | 26 | 27 | 28 | 29 | |
| 30 | | | | | | | |

| September | | | | | | | |
|-----------|-----|-----|-----|-----|-----|-----|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 | |
| 29 | 30 | | | | | | |
| 29 | 30 | | | | | | |

| December | | | | | | | |
|----------|-----|-----|-----|-----|-----|-----|--|
| SUN | MON | TUE | WED | THU | FRI | SAT | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | |
| 15 | 16 | 17 | 18 | 19 | 20 | 21 | |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 | |
| 29 | 30 | 31 | | | | | |